

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

December 26, 2000

D036530 Newport Equity Capital Corporation et al. v. Alfa Leisure, Inc.

The judgment on Newport's complaint is reversed and the matter is remanded for retrial. In all other respects the judgment is affirmed. Newport's appeal of the attorney fees order is dismissed as moot. Since we have reversed the judgment in Newport's favor on its contract claim, it is no longer the prevailing party under Civil Code section 1717. (See *Gordon v. Hamm* (1998) 63 Cal.App.4th 1324, 1332.) Each party shall bear its own costs on appeal. Huffman, Acting P.J.; We Concur: Haller, J., McDonald, J.

D035529 Val Coffee, Inc. v. Maritime Escrow, Inc.

The judgment is affirmed. Respondent to have costs. Work, Acting P.J.; We Concur: Haller, J., McDonald, J.

D034768 Petrouski v. Dixieline Lumber

The judgment is affirmed. Dixieline is to recover costs on appeal. Huffman, Acting P.J.; We Concur: Haller, J., McDonald, J.

D034744 People v. McGee

The judgment is affirmed. McDonald, J.; We Concur: Work, Acting P.J., Huffman, J.

D034587 Schooler v. State of California

The opinion filed December 1, 2000, is ordered certified for publication.

D033936 Swinerton & Walberg Co. v. San Diego Hebrew Home for the Aging et al.

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 19(b)). Each party to bear their own fees and costs on appeal.

D033677 People v. Lathan

The judgment is affirmed. Nares, J.; We Concur: Kremer, P.J., Haller, J.

D036709 Seaman et al. v. Superior Court of San Diego County/Paddock

The petition is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

December 27, 2000

D036441 Hynson v. Brown et al.

The judgment is affirmed. Costs on appeal are awarded to respondents. McIntyre, J.;
We Concur: Benke, Acting P.J., O'Rourke, J.

D036294 In re Tatiana L., a Juvneile

Let a writ issue directing the superior court to vacate its order terminating services and setting a permanency hearing, and enter a new order providing Sonia with six additional months of reunification services. This opinion is final immediately as to this court. (Cal Rules of Court, rule 24 (d).) The stay issued on December 13, 2000, is vacated. McIntyre, J.; We Concur: Kremer, P.J., Huffman, J.

D035615 Newport Pacific, Inc. et al. v. County of San Diego et al.

The judgment is reversed. The matter is remanded to the superior court, which is directed to vacate its order granting Newport Pacific's petition for writ of mandate and issue a new order denying the petition. The County is awarded its costs of appeal. McIntyre, J.; We Concur: Work, Acting P.J., O'Rourke, J.

D036017 People v. Navarro

Upon filing an abandonment of appeal, the appeal is dismissed.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

December 28, 2000

D035659 People v. Garman

Judgment affirmed. Haller, J.; We Concur: Kremer, P.J., McIntyre, J.

D034703 Foxworth v. KUSI-TV et al,

The request for publication of the opinion is denied.

D036497 People v. Lewis

Affirmed. Haller, J; We Concur: Kremer, P.J., McDonald, J.

D036367 Marie M. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition is granted. The court's true finding under section 387 is vacated. The court's orders removing Tatyana from Marie's custody, denying reunification services and referring the matter to a section 366.26 hearing are vacated. The matter is remanded to the trial court for proceedings not inconsistent with this opinion. McIntyre, J.; We Concur: Kremer P.J., Huffman, J.

D036640 In re Joseph M., a Juvenile

The appeal is dismissed. Kremer, P.J.; We Concur: Huffman, J., McIntyre, J.

D036400 In re James F., a Juvenile

The appeal is dismissed. Kremer, P.J.; We Concur: Huffman, J., McIntyre, J.

D036429 KWP Financial IV v. Thompson

Judgment affirmed. The court's September 22, 1997 Order Determining Third Party Claims and Order for Disposition is (1) affirmed with respect to the third-party claims of John P. Moore and Katie Gore; and (2) reversed with respect to the third-party claim of Kathryn G. Thompson Construction Company. Kathryn G. Thompson shall bear respondent's costs with respect to Thompson's appeal of the summary judgment. Each party shall bear it own costs with respect to the third-party claimants' appeal. Haller, J.; We Concur: Kremer, P.J., Nares, J.

D036397 In re Jeremy H., a Juvenile

The appeal is dismissed. Kremer, P.J.; We Concur: Huffman, J., McIntyre, J.

D036641 In re Jamie F., a Juvenile

The appeal is dismissed. Kremer, P.J.; We Concur: Huffman, J.; McIntyre, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

December 29, 2000

D035319 Shina et al. v. Wilm et al.

The judgment is affirmed. Work, Acting P.J.; We Concur: Huffman, J., McDonald, J.

D036218 Mandelberg v. Wells et al.

The petition for rehearing is denied.

D035570 San Diego Hotel Company, LLC v. Redevelopment Agency of the City of San Diego
D035673 et al., San Diego Padres, L.P., et al.

The judgments are affirmed. Kremer, P.J.; We Concur: Huffman, J., Nares, J.

D035783 People v. Dinh

Upon filing a written abandonment of appeal, the appeal is DISMISSED and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 38).

D034033 People v. Pratl

The petition for rehearing is denied.

D036177 In re Ilen J., a Juvenile

The judgment is affirmed. Haller, J.; We Concur: Kremer, P.J., McDonald, J.

D036152 In re J. J., a Juvenile

The order denying Mother's section 388 petition and the order selecting adoption as J.J.'s. permanent plan and terminating Father's and Mother's parental rights are affirmed. O'Rourke, J.;
We Concur: Kremer, P.J., Huffman, J.

D035228 People v. Purifoy

Judgment affirmed. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.